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THE

# INTERIM

A REPORT OF INTERIM ACTIVITY . . . MONTANA LEGISLATIVE COUNCIL . . . HELENA

September 1981

VOL. III, No. 4

SPECIAL SESSION

SHELVED WITH  
PERIODICALS

The special session of the Legislature appears to be scheduled to begin on Monday, November 16. According to officials in the Governor's Office, a series of 10 or more meetings to discuss budget matters will be held by the Executive Branch in various Montana locations beginning the week of September 21. The locations are to be announced.

INTERIM STUDY  
COMMITTEES CAN  
SAVE MONEY BY  
SCHEDULING  
A MEETING  
DURING THE  
SPECIAL SESSION

If an interim study committee is able to schedule a meeting to coincide with the special session of the Legislature, the committee will save considerable travel and salary expenses that would otherwise be charged against the study committee's budget. Chairmen of interim study committees are encouraged to give this money-saving idea some thought in scheduling meetings for the Fall.

1981 SESSION  
LAWS COMPLETED

The 1981 Session Laws will be mailed from Bozeman to legislators and other subscribers beginning August 31.

## LEGISLATIVE COUNCIL

ADVISORY COM-  
MITTEE TO BE  
APPOINTED

The Legislative Council, at its August 11 meeting, voted to request the appointment of an advisory interim study committee relative to SJR 34. This Senate Joint Resolution was not funded by the Legislative Council for the 1981-83 interim. However, the Statewide Health Coordinating Council and the Montana Health Systems Agency plan to conduct the study and will provide staff and financing.

The study concerns the myriad licensing laws that must be complied with to provide social and health services to the young, disabled, infirm, or elderly. The goal of the study is a comprehensive licensing law to govern all social and health care facilities.

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FIVE-STATE  
LEGISLATIVE  
CONFERENCE

The Legislative Council requested that the Senate Committee on Committees and the Speaker of the House appoint the joint subcommittee from the following standing committees: Human Services, State Administration, Appropriations, and Finance and Claims.

The Legislative Council appointed delegates and panel members to attend the Five-State Legislative Conference in Rapid City, South Dakota, on September 27-29. The Conference is an association of legislators from Montana, the Dakotas, Nebraska, and Wyoming.

In order to minimize expenses, the Council will use planes borrowed from the Highway Department and the Governor for the 10 delegates selected to go to the Conference. The Legislative Council wishes to thank both the Highway Department and the Governor for their cooperation.

Delegates to the Conference were chosen on the basis of the most qualified legislator in regard to the Conference agenda and legislators who had not also attended recent legislative meetings such as the NCSL meeting in Atlanta. Delegates chosen are:

Rep. Rex Manuel (D-Fairfield), Rep. Bob Sivertsen (R-Havre), Rep. Michael Keedy (D-Kalispell), Rep. Jay Fabrega (R-Great Falls), Rep. Verner Bertelsen (R-Ovando), Sen. Jack Galt (R-Martinsdale), Rep. John Shontz (D-Sidney), Sen. Carroll Graham (D-Lodge Grass), Rep. Jack Moore (R-Great Falls), and Rep. Tom Asay (R-Forsyth). Rep. Norman Wallin (R-Bozeman) was chosen as first alternate delegate.

The panels and panelists chosen are:

Water Management in the 80's - Jack Galt  
Energy Transportation in the Midwest - John Shontz  
Rails and Roads - Bob Sivertsen  
The Legislature of the 80's - Jack Moore  
Jay Fabrega, Alternate

In addition, Senator Carroll Graham is a member of the Nominating Committee, and Representative Verner Bertelsen is a member of the Resolutions Committee.

THE LEGISLATIVE COUNCIL STRESSES THAT ALL LEGISLATORS ARE MEMBERS OF THE CONFERENCE AND ARE ENCOURAGED TO ATTEND THE FIVE-STATE MEETING, BUT ONLY THE TEN DELEGATES THAT WERE SELECTED WILL HAVE THEIR EXPENSES PAID BY THE COUNCIL.

## JOINT SUBCOMMITTEE ON EDUCATION

MEETING HELD  
AUGUST 7

The Joint Subcommittee on Education held its first meeting on August 7. Senator Stan Stephens was elected chairman and Representative John Vincent was elected vice-chairman.

The Subcommittee heard testimony from Dr. Milton Negus, Superintendent of Bozeman Schools, on the need to revise the methods used to finance Montana schools. Ray Shackleford, Deputy Superintendent of Public Instruction, explained how the Office of Public Instruction would be able to cooperate with the interim subcommittee. He told the subcommittee that the Office of Public Instruction has begun a program to assess the cost of accreditation standards.

John Augenblick, Director of the Education Finance Center of the Education Commission of the States, presented an overview of judicial actions and legislative responses to inequities of school funding programs in other states. He discussed the effects of tax reform on efforts to reform school funding systems. He noted that most often the courts and legislatures have attempted to reform taxation inequities rather than equalize pupil expenditures.

Committee members received copies of the study done for the Office of Public Instruction by George Bandy. The Committee's researcher was requested to investigate an offer by the National Conference of State Legislatures to grant financial and technical assistance for the subcommittee's interim study.

NEXT MEETING

The next meeting of the subcommittee will be in mid-October.

## JOINT SUBCOMMITTEE ON HIGHWAYS

MEETING HELD  
AUGUST 27-28

The Joint Subcommittee on Highways met in Helena on August 27 and 28, just after the deadline for this issue of the Interim. Reports from legislative agencies and from the Department of Highways as well as presentations from associations of private highway users were on the agenda. Watch the next issue for the results!

#### JOINT SUBCOMMITTEE ON HUMAN SERVICES

NEXT MEETING,  
SEPTEMBER 15

The Subcommittee on Human Services will hold its next meeting on Tuesday, September 15, at 9:00 a.m., in Room 104 of the State Capitol, Helena.

The meeting agenda includes a report on the funding of services to youth, the presentation of a profile of youths labeled "youths in need of supervision," a report on the classification and disposition of juveniles in other states, and a review of the statutory functions and interagency duties performed by the Department of Institutions.

#### SUBCOMMITTEE ON JUDICIARY

TWO-DAY MEETING,  
SEPTEMBER 25-26

The Subcommittee on Judiciary will meet in Helena for a two-day session, September 25 and 26. The meetings will be in the Capitol, Room 104.

On Friday, September 25, the Subcommittee will convene at 10:00 a.m. to discuss delay in appellate and postconviction relief procedures. The following day the Committee will begin its meeting at 8:00 a.m. to discuss judicial redistricting.

#### JOINT SUBCOMMITTEE ON TRANSPORTATION

MEETING SET  
IN GLENDIVE,  
SEPTEMBER 21

The Holiday Lodge Best Western in Glendive will be the site for the second meeting of the Joint Subcommittee on Transportation on Monday, September 21. The Subcommittee will convene at 2:00 p.m. for a business session. A public hearing will begin at 7:00 p.m. Residents of Eastern Montana are invited to tell the Subcommittee about their transportation problems and needs. Another meeting will be scheduled later for people in Western Montana.

#### ADMINISTRATIVE CODE COMMITTEE

NEXT MEETING,  
MID-SEPTEMBER

A meeting of the Administrative Code Committee is tentatively scheduled for mid-September. The Committee will review the administrative rules proposed or adopted in 1981 MAR Issues 12 through 16. The Committee also will hear testimony from the Secretary of State's office on proposed substantial fees for the Montana Administrative Register and the Administrative Rules of Montana.

At the July 9 meeting, the Committee voted to send copies of proposed rules to the prime sponsors of 1981 legislation. Prime sponsors of legislation are now receiving rules implementing their bills.

#### CAPITOL BUILDING AND PLANNING COMMITTEE

MEETING,  
SEPTEMBER 8-9

The Capitol Building and Planning Committee will hold meetings on September 8 (9:00 a.m.) and September 9 (8:00 a.m.) in Room 104.

AUGUST 24  
MEETING

Representatives of the Committee met in Helena on August 24 to select architectural firms to be interviewed by the entire Committee on their ideas for the renovation of Montana's State Capitol. The selection resulted in the following firms receiving further consideration:

E. F. Link and Associates of Billings  
Page-Werner and Partners of Great Falls  
Davidson and Kuhr of Great Falls  
Commers, McLaughlin and Leavengood of Bozeman  
A & E Partners of Billings  
Crossman, Whitney and Griffin of Helena  
BGS Architects of Bozeman  
Fox, Ballas and Barrow of Missoula

CAPITOL  
"WALK-THROUGH"

The full Committee and the eight architectural firms will participate in a "walk-through" of the Capitol during the Committee's September 8-9 meeting.

Other items on the Committee's agenda include a report from the State Architect on possibilities of not moving the Senate Chamber and the provision of lounges. Current tenants of the State Capitol will present the Committee with reports of their space needs.

#### COAL TAX OVERSIGHT SUBCOMMITTEE

MEETING HELD  
AUGUST 20-21

The Coal Tax Oversight Subcommittee held a two-day organizational and review session in Helena on Thursday and Friday, August 20 and 21. Representative Calvin Winslow was elected chairman, and Senator Dave Manning was elected vice-chairman of the Subcommittee.

The Subcommittee heard reports from various agencies that administer coal tax distributions.

## REVENUE OVERSIGHT COMMITTEE

MEETING,  
SEPTEMBER 11

The next meeting of the Revenue Oversight Committee will be held in Helena on Friday, September 11, beginning at 9:30 a.m. The meeting will be at the Capitol in Room 104.

The Committee will hear reports from the Department of Revenue on pending legal cases -- including the 34% cases and Burlington Northern -- and will discuss other matters of interest with the Department.

In the afternoon, the Committee will begin discussion of studies that it will be conducting during the interim in order to establish work plans and future meeting dates.

## SELECT COMMITTEE ON INDIAN AFFAIRS

MEETING,  
AUGUST 12

The Select Committee on Indian Affairs met in Helena on August 12. The Committee elected Representative Thomas Conroy as chairman and Representative Carl Seifert vice-chairman. A tentative meeting date was set for this Fall in Billings with the Montana Inter-Tribal Policy Board.

## WATER RESOURCES OVERSIGHT COMMITTEE

MEETING,  
AUGUST 13

The Water Resources Oversight Committee met in Helena on August 13 for an organizational meeting. Senator Tom Hager was elected chairman and Representative Audrey Roth vice-chairman.

Judge W. W. Lessley and Gary Fritz, Administrator of DNRC's Water Resources Division, reported to the Committee the current status of Montana's water adjudication program.

## DISTRICTING AND APPORTIONMENT COMMISSION

REAPPORTION-  
MENT CASE

Judge Gordon Bennett rendered a decision in the Reapportionment case on August 12, denying the relief sought by the Attorney General. Copies of the decision were sent to each legislator. The week after the decision was rendered, the Attorney General indicated in a press release that he would not appeal the decision to the Supreme Court.



## COUNCIL OF STATE GOVERNMENTS

### ANNUAL MEETING JUST CONCLUDED

The annual meeting of the Western Conference of the Council of State Governments concluded its work on Wednesday, August 26. Attendees studied a wide range of issues related to public lands, energy development, energy conservation, hazardous materials, transportation, international trade, and water policy. In addition, seminars were conducted on the latest developments in block grant programs. At the conclusion of the conference, 27 resolutions were continued in force and 41 new resolutions were adopted. Copies of these resolutions, which state policy positions or recommendations of the Conference, are available through the Legislative Council.

# LEGISLATIVE INTERIM CALENDAR SEPTEMBER

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1	2	3	4	5
6	7	8 CAPITOL BUILDING AND PLANNING RM 104 9:00 am	9 CAPITOL BUILDING AND PLANNING RM 104 8:00 am	10	11 REVENUE OVERSIGHT RM 104 9:30 am	12
13	14	15 HUMAN SERVICES RM 104 9:00 am	16	17	18	19 LEGISLATIVE COUNCIL RM 139 10:00 am
20	21 TRANSPORTATION COMMITTEE GLENDAVE	22	23	24	25 JUDICIARY RM 104 10:00 am	26 JUDICIARY RM 104 8:00 am
27	28 FIVE STATE CONFERENCE RAPID CITY SD Sept. 27-29	29	30		TO DATE NO MEETINGS SCHEDULED IN OCTOBER.	

Meeting dates subject to change.



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